

## **REMARKS**

### **Status of the Claims**

Claims 1-13 were cancelled in a previous amendment. Claims 14-32 are currently pending. Claims 25 and 26 are amended herein.

### **Amendment to the Claims**

Claims 25 and 26 have been amended to depend from numbered claim 14. No new matter has been added by this amendment.

### **Supplemental Information Disclosure Statement**

Applicants respectfully submit a Supplemental Information Disclosure Statement ("Supplemental IDS") for Examiner's consideration and to be entered into the record of the references cited in the instant application.

Applicants draw Examiner's attention to the Information Disclosure Statement ("Referenced IDS") filed on 27 April 2004 and included in the Office Action mailed on 10 March 2006, attached hereto for the convenience of Examiner. Applicants note that the Corbett reference, listed as reference "AA" under the "Other Disclosure" section of the PTO Form-1449 of the Referenced IDS, has not been initialled by Examiner. Applicants submit the Corbett reference for a second time in the Supplemental IDS, and respectfully request Examiner to consider this reference and to provide her initials on the PTO Form-1449 in the Supplemental IDS.

### **Notice of Allowability mailed 9 March 2007**

Applicants draw Examiner's attention to the Notice of Allowability that was included in the Notice of Allowance and Fee Due mailed 9 March 2007. Applicants note that the Notice did not include Examiner's Statement of Reasons for Allowance. Applicants respectfully request Examiner to provide such Examiner's Statement for the record and to afford Applicants the opportunity, but not the obligation, to respond thereto. Specifically, Applicants request Examiner to state whether the Declaration under 37 C.F.R. 1.131, filed by Applicants in the response of 12 January 2007, overcomes Examiner's rejection under 35 U.S.C. 103 of the prior Office Action, dated 14 November 2006.

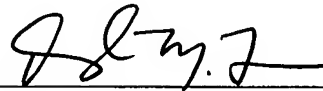
\* \* \*

It is respectfully submitted that claims, as amended, are allowable over the references cited in the Supplemental IDS and in view of the remarks provided in this Submission under 37 C.F.R. 1.114. Entry of this Submission and early allowance of the claims, as amended, are therefore respectfully requested.

Respectfully submitted,

11 April 2007

Date



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MAY 03 2004

**COPY****INFORMATION DISCLOSURE STATEMENT***(Use several sheets if necessary)*

ATTY. DOCKET NO.

**10236A**

SERIAL NO.

**10/809,259**

APPLICANT

**Karen A. SHEPPARD et al.**

FILING DATE

**March 25, 2004**

GROUP

**Not Yet Assigned****U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SA	AA	4,632,869	12/30/1986	Park et al.			
	AB	4,692,379	09/08/1987	Keung et al.			
	AC	4,769,418	09/06/1988	Mizuno et al.			
	AD	4,916,025	04/10/1990	Pang-Chia Lu			
	AE	4,978,436	12/18/1990	Kelly			
	AF	5,169,900	12/08/1992	Gudelis			
	AG	5,223,346	06/29/1993	Pang-Chia Lu			
	AH	5,302,442	04/12/1994	O'Brien et al.			
	AI	5,443,915	08/22/1995	Wilkie et al.			
	AJ	5,466,734	11/14/1995	Catena et al.			
	AK	5,482,780	01/09/1996	Wilkie et al.			
	AL	5,489,473	02/06/1996	Wilkie			
	AM	5,500,283	03/19/1996	Kirk et al.			
	AN	5,527,608	06/18/1996	Kemp-Patchett et al.			
	AO	5,616,400	04/01/1997	Zhang			
	AP	5,667,902	09/16/1997	Brew et al.			
	AQ	5,691,043	11/25/1997	Keller et al.			
	AR	5,792,549	08/11/1998	Wilkie			
	AS	5,798,174	08/25/1998	Wilkie			
	AT	5,851,640	12/22/1998	Schuhmann et al.			
	AU	6,074,762	06/13/2000	Cretekos et al.			
	AV	6,455,150	09/24/2002	Sheppard et al.			
	AW	6,472,077	10/29/2002	Cretekos et al.			
SA	AX	6,495,266	12/17/2002	Migliorini			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
SA	AA	JP 04 212848 A	1992-11-27	Japan (Abstract)				
	AB	JP 02 060745 A	1990-05-16	Japan (Abstract)				
SA	AC	JP 03 205440 A	1991-12-03	Japan (Abstract)				

**OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages of Publication, Etc.)**

AA	Corbett, L.W. & R. Urban, Asphalt and Bitumen, Ullmann's Encyclopedia of Industrial Chemical, W. Gerhartz Deerfield Beach Florida, USA, Velt Publ., Vol. A.3, pp. 169-188, (1985).
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EXAMINER

*Shuta Ahmed*

DATE CONSIDERED

*2/6/04*

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next comment to applicant

DT/SM  
226  
LPR

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www.uspto.gov

**NOTICE OF ALLOWANCE AND FEE(S) DUE**

23455 7590 03/09/2007

EXXONMOBIL CHEMICAL COMPANY  
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P.O. BOX 2149  
BAYTOWN, TX 77522-2149

MAR 13 2007

EXAMINER	
AHMED, SHEEBA	
ART UNIT	PAPER NUMBER

1773  
DATE MAILED: 03/09/2007

ACKNOWLEDGED PATENT LEGAL ASSISTANT GROUP L. L. RUBIO Checked By: EMCLT BAYTOWN
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY	DOCKET NO.	CONFIRMATION NO.
10/809,259	03/25/2004	Karen A. Sheppard		10136A	6912

TITLE OF INVENTION: LAMINATION GRADE COEXTRUDED HEAT-SEALABLE FILM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	06/11/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# COPY

## Notice of Allowability

Application No.

10/809,259

Examiner

Sheeba Ahmed

Applicant(s)

SHEPPARD ET AL.

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/12/07.
2. ☒ The allowed claim(s) is/are 14-32(now renumbered 1-19).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Sheeba Ahmed*  
3/5/07



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,259	03/25/2004	Karen A. Sheppard	10236A	6912
23455	7590	03/09/2007		
EXXONMOBIL CHEMICAL COMPANY 5200 BAYWAY DRIVE P.O. BOX 2149 BAYTOWN, TX 77522-2149				
			EXAMINER AHMED, SHEEBA	
			ART UNIT 1773	PAPER NUMBER
DATE MAILED: 03/09/2007				

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 320 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 320 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.